

ORIGINAL

AUSA: William K. Stone

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOSE COLLADO,

Defendant.

24 MAG 913

RULE 5(c)(3)
AFFIDAVIT

SOUTHERN DISTRICT OF NEW YORK, ss.:

BRIAN O'SULLIVAN, being duly sworn, deposes and says that he is a Deputy United States Marshal in the Southern District of New York, and charges as follows:

On or about March 1, 2024, the United States District Court for the District of Rhode Island issued a warrant for the arrest of "Jose Collado" based on a Violation of Supervised Release Petition in connection with the following violations: (1) committing another federal, state, or local crime on December 5, 2023; (2) committing another federal, state, or local crime on October 19, 2023; (3) committing another federal, state, or local crime on October 19, 2023; and (4) knowingly leaving the federal judicial district without permission from the court or the probation officer. Copies of the arrest warrant and petition are attached hereto as Exhibits A and B, respectively, and incorporated by reference herein.

I believe that JOSE COLLADO, the defendant, who was taken into custody by the United States Marshals Service ("USMS") on March 4, 2023, in the Southern District of New York, is the same individual as the "Jose Collado" who is named in the arrest warrant issued by the United States District Court for the District of Rhode Island.

The bases for my knowledge and for the foregoing charges are, in part, as follows:

1. I am a Deputy United States Marshal with the USMS. I have been personally involved in determining whether JOSE COLLADO, the defendant, is the same individual as the "Jose Collado" named in the March 1, 2024, arrest warrant from the United States District Court for the District of Rhode Island. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my review of documents from the United States District Court for the District of Rhode Island, I know that, on or about March 1, 2024, the United States District Court for the District of Rhode Island issued a warrant for the arrest of "Jose Collado" (the "Arrest Warrant"). The Arrest Warrant was based on a Violation of Supervised Release Petition (the "Violation Report"), bringing the following specifications: (1) committing another federal, state, or local crime on December 5, 2023; (2) committing another federal, state, or local crime on

October 19, 2023; (3) committing another federal, state, or local crime on October 19, 2023; and (4) knowingly leaving the federal judicial district without permission from the court or the probation officer.

3. Based on my conversations with other law enforcement officers, I know the following:

a. On or about February 29, 2024, at approximately 7:14 p.m., JOSE COLLADO, the defendant, was arrested by the New York Police Department (“NYPD”) for criminal possession of stolen property in the second degree, in violation of New York Penal Law (“NYPL”) Section 165.52; criminal possession of stolen property in the third degree, in violation of NYPL Section 165.50; and reckless endangerment in the first degree, in violation of NYPL Section 120.25. COLLADO was detained at Rikers Island.

b. On or about March 1, 2024, at approximately 9:15 p.m., I was notified by the NYPD that COLLADO was arrested and that law enforcement databases had indicated that “Jose Collado” had an outstanding federal warrant. NYPD officers provided me with the name, date of birth, and FBI number for COLLADO, and I determined that the biographical and law enforcement information were the same as the name, date of birth, and FBI number of the “Jose Collado” that was the subject of the Arrest Warrant issued by the United States District Court for the District of Rhode Island. As a result, I confirmed with the NYPD that COLLADO was the same person as the “Jose Collado” listed in the Arrest Warrant.

4. Based on my conversations with other law enforcement officers, and my review of law enforcement records, I know that on March 4, 2024, at approximately 11:00 a.m., the USMS arrested JOSE COLLADO, the defendant, and transported him from Rikers Island to the federal courthouse in the Southern District of New York in connection with the Arrest Warrant issued by the United States District Court for the District of Rhode Island.

5. Based on my own participation in this federal arrest, my conversations with other law enforcement officers, and my review of law enforcement records, I believe that JOSE COLLADO, the defendant, is the “Jose Collado” named in the Arrest Warrant, for the reasons set forth below:

a. On March 4, 2024, while processing COLLADO, in connection with this arrest, I asked him for his name and date of birth. COLLADO provided the same name and date of birth that appear in law enforcement records underlying the “Jose Collado” charged in the Arrest Warrant issued by the United States District Court for the District of Rhode Island. In addition, I asked COLLADO whether he was aware of an Arrest Warrant of him that was issued by the United States District Court for the District of Rhode Island, and he answered, in sum and substance, that he was.

b. I have also reviewed a photograph of the “Jose Collado” named in the Arrest Warrant from a law enforcement database. Based on my review of that photograph, I know that “Jose Collado” has a distinctive face tattoo. COLLADO closely resembles the person in the known photograph of “Jose Collado” and has the same face tattoo.

6. Accordingly, I believe that the "Jose Collado" sought in the Arrest Warrant is JOSE COLLADO, the defendant.

WHEREFORE, I respectfully request that JOSE COLLADO, the defendant, be imprisoned or bailed, as the case may be.



BRIAN O'SULLIVAN
Deputy United States Marshal
United States Marshals Service

Sworn to before me
this 4th day of March, 2024.



THE HONORABLE ONA T. WANG
United States Magistrate Judge
Southern District of New York

AUSA: William K. Stone

Exhibit A

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

United States of America

v.
Jose Collado

Case No. 1:22-cr-00118-JJM-LDA-1

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Jose Collado

who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Violation of Supervised Release

Date: 03/01/2024

/s/ Cherelle Hill

Issuing officer's signature

City and state: Providence, RI

Cherelle Hill, Deputy Clerk

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date:

Arresting officer's signature

Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____

AUSA: William K. Stone

Exhibit B

United States District Court
for
The District of Rhode Island

Petition for Warrant for Offender Under Supervision

Name of Offender: Jose Collado

Case Number: 1:22-cr-00118-JJM-LDA

Name of Sentencing Judicial Officer: Honorable Lawrence J. Vilardo, U.S. District Judge of the Western District of New York

Name of Assigned Judicial Officer: Honorable John J. McConnell, Jr., Chief U.S. District Judge

Date of Original Sentence: September 27, 2022

Original Offense: High Speed Flight from Immigration Checkpoint, in violation of 18 U.S.C. § 758 and § 2, a Class D felony.

Original Sentence: Time Served, 3 years supervised release with the following special conditions: The defendant shall participate in a program for substance abuse, including substance abuse testing such as urinalysis and other testing, and shall undergo a drug/alcohol evaluation and treatment if substance abuse is indicated by the testing. The probation officer will supervise the details of any testing and treatment, including the selection of a treatment provider and schedule. If in-patient treatment is recommended, however, it must be approved by the Court unless the defendant consents. The defendant is not to leave treatment until completion or as ordered by the court. While in treatment and after discharge from treatment, the defendant is to abstain from the use of alcohol. The defendant is required to contribute to the cost of services rendered; The defendant is to participate in a mental health treatment program, including a mental health evaluation and any treatment recommended. The probation officer will supervise the details of any testing and treatment, including the selection of a provider and schedule. If in-patient treatment is recommended, however, it must be approved by the Court unless the defendant consents. The defendant is not to leave such treatment until completion or as ordered by the Court. While in treatment or taking psychotropic medication, the defendant shall abstain from the use of alcohol. The defendant is required to contribute to the cost of services rendered; The defendant shall submit to a search of his person, property, vehicle, place of residence or any other property under his control, based upon reasonable suspicion, and permit confiscation of any evidence or contraband discovered; and The defendant shall comply with the conditions of the Location Monitoring Program (curfew component) for a period of two (2) months. The curfew time shall be determined and adjusted by the U.S. Probation Office to be less restrictive for employment, counseling, emergencies, or other acceptable reasons. The defendant shall wear (an) electronic monitoring device(s) and shall follow the monitoring procedures as outlined in Probation Form 61. The defendant is required to contribute to the cost of services rendered (co-payment). A special assessment fee of \$100 was imposed.

Case 1:22-cr-00118-JJM-LDA Document 3 (Court only)
Filed 03/01/24 Page 2 of 3 PageID #: 19

The District of Rhode Island accepted jurisdiction on October 20, 2022.

Type of Supervision: Supervised Release

Date Supervision Commenced: September 27, 2022

Assistant U.S. Attorney: TBD

Defense Attorney: TBD

PETITIONING THE COURT

X To issue a Warrant

The probation officer believes that the offender has violated the following conditions of supervision:

CONDITION(S) VIOLATED - NATURE OF NONCOMPLIANCE

Violation No. 1. Mandatory Condition: You must not commit another federal, state or local crime.

On December 5, 2023, Mr. Collado committed the following offenses as evidenced by an arrest warrant issued by Cranston Police Department: Reckless Driving/Drag Racing/Eluding Police-2nd Offense (a felony) and Disorderly Conduct.

Violation No. 2. Mandatory Condition: You must not commit another federal, state or local crime

On October 19, 2023, Mr. Collado committed the following offenses as evidenced by an incident report filed by Warwick Police Department: Passing of Counterfeit Certificates, Bills, or Not (a felony).

Violation No. 3. Mandatory Condition: You must not commit another federal, state or local crime.

On or about February 29, 2024, Mr. Collado committed the following offenses as evidenced by his arrest by the New York City Police Department: Grand Larceny (4 counts); Reckless Endangerment (2 counts); Criminal Possession of Stolen Property (5 counts); Unauthorized Use of Vehicle (2 counts); Criminal Mischief (2 counts); Petit Larceny; Refuse to Return Property; Flee Officer in Motor Vehicle; Reckless Driving; Aggravated Unlicensed Operation; Motor Vehicle License Violation; and Operator Leave Scene of Property Damage.

Violation No. 4. Standard Condition: You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.

On February 29, 2024, Mr. Collado was arrested in New York City, New York. He did not have permission from the court or probation officer to leave the District of Rhode Island.

U.S. Probation Officer Recommendation:

It is respectfully recommended that the Court issue a **Warrant** so that the defendant can appear and answer to the alleged violations.

Reviewed and Approved by:

/s/Kristin Ann Mattias

Kristin Ann Mattias
Deputy Chief U.S. Probation Officer
Date: 3/1/2024

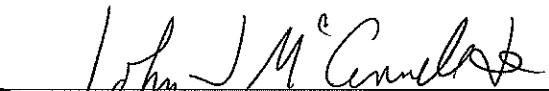
I declare under the penalty of perjury that the foregoing is true and correct:

/s/Amie Blanchette

Amie Blanchette
Supervising U.S. Probation Officer
Date: 3/1/2024

The Court Orders

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Honorable John J. McConnell, Jr.
Chief U.S. District Judge

03/01/2024

Date

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

United States of America

v.
 Jose Collado)
) Case No. 1:22-cr-00118-JJM-LDA-1
)
)
)
)
)
)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) Jose Collado,

who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Violation of Supervised Release

Date: 03/01/2024*/s/ Cherelle Hill**Issuing officer's signature*City and state: Providence, RICherelle Hill, Deputy Clerk*Printed name and title*

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (name, relation, address, phone number): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): _____

Date of last contact with pretrial services or probation officer (if applicable): _____